

Exhibit B

From: Roy Leaf <rleaf@nyemaster.com>
Sent: Wednesday, May 7, 2025 9:31 AM
To: Goroff, David B.; McGuffey, Nora J.; Leslie C. Behaunek
Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

***** EXTERNAL EMAIL MESSAGE *****

David,

This should be an issue capable of resolution without court intervention, but do whatever you think you need to do. The order MercyOne agreed to required it to make productions “on a rolling basis...with the production to be completed” no later than this coming Monday. To date, we have received one production that I think represents only a small fraction of what is coming. Before agreeing to a one-week extension, we are asking for a commitment from your client to make substantial rolling productions (as it already agreed to do) over the next week so that we do not have hundreds of thousands of documents dumped on us on the 19th, prejudicing our ability to conduct depositions in June. I don’t think that is asking too much and have no issues granting the requested extension if your client can give us a quantifiable indication of what it will be producing in the interim.

This is not “reneging” on any “agreement.” Review Leslie’s email from 9:52 yesterday AM in response to your outreach, specifically: “We are willing to agree to an extension up to and including May 19, 2025 for the final production of documents from MercyOne, so long as the majority of MercyOne’s production will be made prior to the current May 12 deadline.” This has been our position all along.

I’m hopeful we can solve this among counsel without the need to involve the court. Again, let me know if a discussion would be productive.



ROY LEAF | NYEMASTER GOODE, P.C.

Shareholder Attorney

625 First Street SE, Ste 400, Cedar Rapids, IA 52401-2030

rleaf@nyemaster.com | T (319) 286-7002 | F (319) 286-7050

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From: Goroff, David B. <DGoroff@foley.com>
Sent: Tuesday, May 6, 2025 9:15 PM
To: Roy Leaf <rleaf@nyemaster.com>; McGuffey, Nora J. <nora.mcguffey@foley.com>; Leslie C. Behaunek <lcbhaunek@nyemaster.com>
Subject: Re: June 20 will work for MercyOne's 30(b)(6) witness

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Roy, you have reneged on the agreement Leslie provided this morning and did so despite the client's extensive efforts to accommodate your desire for consecutive deposition dates and after you had represented that setting those dates would be the basis for an agreement to an extra week. We will raise this with Judge Collins.

From: Roy Leaf <rleaf@nyemaster.com>

Sent: Tuesday, May 6, 2025 6:48 PM

To: McGuffey, Nora J. <nora.mcguffey@foley.com>; Leslie C. Behaunek <lcbehaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>

Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

***** EXTERNAL EMAIL MESSAGE *****

Nora,

To date, we have not received rolling productions notwithstanding MercyOne having 60 days to begin producing documents and communications. We have only received one production, which occurred over the past weekend. We need information in order to prepare for depositions in June, and the OC will be prejudiced by the loss of a full week to prepare. Additionally, we can't help but be concerned that MercyOne will be providing a document dump on the 19th based on MercyOne's refusal to agree to our request to receive a majority of the production by May 12—a production date MercyOne agreed to.

We are open to granting an extension to complete production if MercyOne can commit to providing a majority of its document production over the next week in advance of the proposed extended deadline of May 19th.

Please let me know if you would like to find a time to discuss tomorrow afternoon.

Thanks,



Roy Leaf | Nyemaster Goode, P.C.

Shareholder Attorney

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From: McGuffey, Nora J. <nora.mcguffey@foley.com>
Sent: Tuesday, May 6, 2025 5:33 PM
To: Roy Leaf <rleaf@nyemaster.com>; Leslie C. Behaunek <lcbehaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>
Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

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Roy,

We can only commit to a regular rolling production at this time. This is a substantial process for our client. And, as we have noted, this is occurring at the same time they are going through an EMR transfer. I can assure that our client is working diligently to provide the relevant requested documents.

Happy to discuss if you think that's easier.

Thanks,

Nora J. McGuffey
Associate

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From: Roy Leaf <rleaf@nyemaster.com>
Sent: Tuesday, May 6, 2025 5:21 PM
To: McGuffey, Nora J. <nora.mcguffey@foley.com>; Leslie C. Behaunek <lcbehaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>
Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

***** EXTERNAL EMAIL MESSAGE *****

Nora,

We do not know the volume of MercyOne's total anticipated production and would like to avoid a "dump" of documents on the 19th. Are you able to provide a commitment from MercyOne as to what the the volume of documents they will produce in advance of the final deadline on the 19th?

Roy Leaf | Nyemaster Goode, P.C.
Shareholder Attorney



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From: McGuffey, Nora J. <nora.mcguffey@foley.com>

Sent: Tuesday, May 6, 2025 5:09 PM

To: Roy Leaf <rleaf@nyemaster.com>; Leslie C. Behaunek <lcbehaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>

Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

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Roy,

The discovery deadline of May 19 is acceptable. But the “provided however” clause is not acceptable to us.

Thanks,

Nora J. McGuffey
Associate

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Phone 312.832.4366
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From: Roy Leaf <rleaf@nyemaster.com>

Sent: Tuesday, May 6, 2025 4:59 PM

To: McGuffey, Nora J. <nora.mcguffey@foley.com>; Leslie C. Behaunek <lcbehaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>

Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

***** EXTERNAL EMAIL MESSAGE *****

Nora,

Thanks for putting together. See attached for a redline and clean showing two comments. Let me know if this is acceptable to you and your client.

Thanks,



Roy Leaf | Nyemaster Goode, P.C.

Shareholder Attorney

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From: McGuffey, Nora J. <nora.mcguffey@foley.com>

Sent: Tuesday, May 6, 2025 3:13 PM

To: Leslie C. Behaunek <lcbahaunek@nyemaster.com>; Goroff, David B. <DGoroff@foley.com>

Cc: Roy Leaf <rleaf@nyemaster.com>

Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

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Hi Leslie,

Attached is the consent proposed order extending the deadline to May 19. We set it up for y'all to file.

Thanks,

Nora J. McGuffey

Associate

Foley & Lardner LLP | Chicago, IL | Houston, TX

Phone 312.832.4366

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FOLEY & LARDNER LLP

From: Leslie C. Behaunek <lcbahaunek@nyemaster.com>

Sent: Tuesday, May 6, 2025 9:52 AM

To: Goroff, David B. <DGoroff@foley.com>

Cc: McGuffey, Nora J. <nora.mcguffey@foley.com>; Roy Leaf <rleaf@nyemaster.com>

Subject: RE: June 20 will work for MercyOne's 30(b)(6) witness

***** EXTERNAL EMAIL MESSAGE *****

David,

We are willing to agree to an extension up to and including May 19, 2025 for the final production of documents from MercyOne, so long as the majority of MercyOne's production will be made prior to the current May 12 deadline. We can't agree to a deadline after May 19 due to the upcoming depositions, as it will take time for us to access the production and review those documents in advance of the scheduled depositions. We just received

MercyOne's first production—approximately one week before the original May 12 deadline. We also don't have any way of knowing the volume of documents MercyOne is still preparing to produce, so we are concerned that our client will be prejudiced if we move the deadline further at this point in time.

If you would like to move the end date for MercyOne's production from May 12 to May 19, please prepare a proposed order for our review that the parties can submit to Judge Collins.

Thanks,
Leslie



Leslie Behaunek | Nyemaster Goode, P.C.
Shareholder Attorney

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From: Goroff, David B. <DGoroff@foley.com>

Sent: Monday, May 5, 2025 5:42 PM

To: Roy Leaf <rleaf@nyemaster.com>; Leslie C. Behaunek <lcbahaunek@nyemaster.com>

Cc: McGuffey, Nora J. <nora.mcguffey@foley.com>

Subject: June 20 will work for MercyOne's 30(b)(6) witness

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Roy and Leslie, June 20 will work as the date for deposition of MercyOne's 30(b)(6) witness. In the spirit of cooperation, the client worked very hard to get you those consecutive dates for the 3 depositions of MercyOne witnesses as you had requested.

When I asked last week if you would agree to a short extension for MercyOne's completion of its production of documents pursuant to your Rule 2004 subpoena, you said you would respond when you had dates for the three depositions. As you now have those dates, I hope and expect you will agree to an extension. I had raised May 19 as the proposed new date for completion, but with the other things the client is juggling, it would be best if you would agree to May 23. We will continue to provide documents on a rolling basis as we have begun to do. Please let me know if you will agree to May 23 when you receive this.

--David

p.s. Separately, when the client uploads documents, they are not receiving and do not have any access to the documents that they sent. Nor does counsel. It would be helpful to have this. Is this available?

David B. Goroff
Partner

Foley & Lardner LLP
321 N Clark St., Suite 3000, Chicago, IL 60654-4762



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